

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

R. DAVID WOLFE, on Behalf of Himself and)	CASE NO. 1:13-cv-00859
All Others Similarly Situated,)	
)	JUDGE SARA LIOI
Plaintiff,)	
)	<u>DEFENDANT IRVING I. STONE</u>
vs.)	<u>SUPPORT FOUNDATION'S</u>
)	<u>ANSWER TO VERIFIED</u>
MORRY WEISS, <i>et al.</i> ,)	<u>AMENDED DERIVATIVE AND</u>
)	<u>CLASS ACTION COMPLAINT</u>
Defendants.)	

Defendant, Irving I. Stone Support Foundation (the "Support Foundation"), for its answer to the Verified Amended Derivative and Class Action Complaint of Plaintiff R. David Wolfe, on Behalf of Himself and All Others Similarly Situated and Derivatively on Behalf of Nominal Defendant American Greetings Corporation, states as follows:

1. Paragraph 1 of the Amended Complaint contains legal conclusions and arguments that do not require a response. To the extent paragraph 1 makes any factual allegations, the Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 1 and therefore denies those allegations.

2. The Support Foundation denies all allegations that are directed to it in paragraphs 2 through 10 by virtue of including the Support Foundation in the definition of "Weiss Family Defendants" (see Paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 2 through 10 as they relate to other Defendants and therefore denies those allegations.

3. The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 11 through 21 of the Amended Complaint and therefore denies those allegations.

4. In response to paragraph 22 of the Amended Complaint, the Support Foundation admits that it is a foundation incorporated and organized in the State of Ohio; it is located in Beachwood, Ohio; it owns Class B Shares; and that Morry is a trustee with one vote and Zev, Jeffrey, Gary, and Elie Weiss are trustees who, together, have one vote.

5. The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 23 of the Amended Complaint and therefore denies those allegations.

6. Paragraph 24 of the Amended Complaint does not state allegations that require a response. To the extent paragraph 24 makes any allegation directed at the Support Foundation, the Support Foundation denies those allegations.

7. The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 25 through 30 of the Amended Complaint and therefore denies those allegations.

8. Paragraph 31 of the Amended Complaint does not state allegations that require a response. To the extent those paragraphs make any factual allegation directed at the Support Foundation, those allegations are denied.

9. Paragraphs 32 through 34 of the Amended Complaint contain legal conclusions and arguments that do not require a response. To the extent paragraphs 32 through 34 make any factual allegation directed at the Support Foundation, those allegations are denied. To the extent paragraphs 32 through 34 make any factual allegation directed at other Defendants, the Support

Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraphs 32 through 34 of the Amended Complaint and therefore denies those allegations.

10. Paragraph 35 of the Amended Complaint contains legal conclusions and arguments that do not require a response. To the extent paragraph 35 make any factual allegation directed at the Support Foundation, the Support Foundation admits that it has contacts with the State of Ohio. The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 35 of the Amended Complaint and therefore denies those allegations.

11. Paragraph 36 of the Amended Complaint contains legal conclusions and arguments that do not require a response. To the extent paragraph 36 makes any factual allegation directed at the Support Foundation, those allegations are denied. To the extent paragraph 36 makes any factual allegation directed at other Defendants, the Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraphs 36 of the Amended Complaint and therefore denies those allegations.

12. Paragraphs 37 through 101 of the Amended Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation admits that it is a Class B shareholder and denies all other allegations that are directed to it in paragraphs 37 through 101 by virtue of including the Support Foundation in the definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 37 through 101 and therefore denies those allegations.

13. The Support Foundation admits that Plaintiffs are attempting to bring this case as a class action. The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 102 and therefore denies those allegations.

14. The Support Foundation denies paragraph 103 of the Amended Complaint.

15. The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 104 of the Amended Complaint and therefore denies those allegations.

16. Paragraph 105 of the Amended Complaint contains legal conclusions that do not require a response. To the extent paragraph 105 contains factual allegations, the Support Foundation denies all factual allegations directed at the Support Foundation and lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 105 and therefore denies those allegations.

17. The Support Foundation denies paragraphs 106 and 107 of the Amended Complaint.

18. Paragraph 108 of the Amended Complaint contains legal conclusions and arguments that do not require a response.

19. Paragraphs 109 through 116 of the Amended Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation denies the allegations that are directed to it in paragraphs 109 through 116 by virtue of including the Support Foundation in the definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief

as to the truth of the remaining allegations in paragraphs 109 through 116 and therefore denies those allegations.

20. The Support Foundation incorporates its responses to paragraphs 1 through 116 of the Amended Complaint in response to the allegations of paragraph 117 as if fully restated.

21. Paragraphs 118 through 122 of the Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation denies the allegations that are directed to it in paragraphs 118 through 122 by virtue of including the Support Foundation in the definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 118 through 122 and therefore denies those allegations.

22. The Support Foundation incorporates its responses to Paragraphs 1 through 122 of the Complaint in response to the allegations of paragraph 123 as if fully restated.

23. Paragraphs 124 through 129 of the Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation denies the allegations that are directed to it in paragraphs 124 through 129 by virtue of including the Support Foundation in the definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 124 through 129 and therefore denies those allegations.

24. The Support Foundation incorporates its responses to Paragraphs 1 through 129 of the Complaint in response to the allegations of paragraph 130 as if fully restated.

25. Paragraphs 131 through 135 of the Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation denies the allegations that are directed to it in paragraphs 131 through 135 by virtue of including the Support Foundation in the

definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 131 through 135 and therefore denies those allegations.

26. The Support Foundation incorporates its responses to Paragraphs 1 through 135 of the Complaint in response to the allegations of paragraph 136 as if fully restated.

27. Paragraphs 137 through 141 of the Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation denies the allegations that are directed to it in paragraphs 137 through 141 by virtue of including the Support Foundation in the definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 137 through 141 and therefore denies those allegations.

28. The Support Foundation incorporates its responses to paragraphs 1 through 141 of the Complaint in response to the allegations of paragraph 142 as if fully restated.

29. Paragraphs 143 through 145 of the Complaint contain legal conclusions and arguments that do not require a response. The Support Foundation denies the allegations that are directed to it in paragraphs 143 through 145 by virtue of including the Support Foundation in the definition of “Weiss Family Defendants” (see paragraph 24 of the Amended Complaint). The Support Foundation lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraphs 143 through 145 and therefore denies those allegations.

30. The Support Foundation denies that Plaintiff is entitled to the relief demanded.

31. Except as expressly admitted, the Support Foundation denies each and every allegation of the Amended Complaint.

SECOND DEFENSE

32. The Amended Complaint fails in whole or in part to state a claim upon which relief can be granted.

THIRD DEFENSE

33. The Amended Complaint fails to make short and plain statements setting forth Plaintiffs' claim for relief in violation of Fed.R.Civ.P. 8.

FOURTH DEFENSE

34. The Support Foundation is not owned or controlled by the Individual Weiss Defendants.

FIFTH DEFENSE

35. The Support Foundation reserves the right to assert additional affirmative defenses as they are discovered.

JURY DEMAND

The Support Foundation demands a trial by jury on all claims so triable.

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CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2013, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/Dennis R. Rose

Dennis R. Rose (0039416)

One of the Attorneys for Defendant
Irving I. Stone Support Foundation